

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DESIRAE BARRE,

Plaintiff,

-against-

DICARLO FOOD SERVICE and DICARLO
DISTRIBUTORS, INC.,

Defendants.

Case No. CV 09-01607 (SJF)(ETB)

STIPULATION OF FINAL DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants that the above-captioned action be dismissed with prejudice in its entirety and with no award of attorneys' fees, costs or disbursements to Plaintiff or Defendants by the Court. Plaintiff hereby agrees to generally and fully release, waive and settle any and all claims against Defendants (as "Defendants" are defined in the SETTLEMENT AGREEMENT AND GENERAL RELEASE), which is confidential.

Plaintiff previously was represented by Richard V. Rappaport, Esq., who has advised counsel for Defendants of his intent to assert a lien against any settlement. Plaintiff shall resolve that lien before she receives any settlement payment and will provide proof of resolution to counsel for Defendants.

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ATTORNEY FOR PLAINTIFF
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By:

JOSEPH C. STROBLE, ESQ. (JCS9109)

Dated:

By:

PAUL SIEGEL, ESQ. (PS 2245)

Dated:

SO ORDERED on this 28 day of
October, 2009.

UNITED STATES DISTRICT JUDGE